

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FREDDIE STOKELY, SR.,
Plaintiff,

v.

RUBY TUESDAY'S,
Defendant.

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3:05-mc-20

MEMORANDUM AND ORDER

Plaintiff in this matter requested that the court allow him to proceed *in forma pauperis* without prepayment of fees. On May 9, 2005, the magistrate judge assigned to this case, the Honorable C. Clifford Shirley, Jr., denied the plaintiff's request and found that plaintiff must pay the filing fee in order to proceed with this litigation [Doc. 2]. Plaintiff has not responded or filed the necessary fee. Accordingly, the court hereby **ORDERS** that this case be **DISMISSED** without prejudice and removed from the docket.

IT IS SO ORDERED.

ENTER:

s/Thomas W. Phillips
UNITED STATES DISTRICT JUDGE